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Attorneys for Plaintiffs
ASETEK HOLDINGS, INC. and
ASETEK A/S

15 UNITED STATES DISTRICT COURT
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17 NORTHERN DISTRICT OF CALIFORNIA
18
19 SAN FRANCISCO DIVISION

ASETEK HOLDINGS, INC. and ASETEK A/S,

Plaintiffs,

v.

COOLIT SYSTEMS INC.,

Defendant.

CASE NO. 3:12-CV-04498-EMC

**STIPULATED REQUEST FOR ORDER
AMENDING CASE MANAGEMENT
ORDER**

[PROPOSED] ORDER

(as modified)

On January 17, 2013, the Court held an Initial Case Management Conference. At the Initial Case Management Conference, the Court adopted the parties' proposed Case Management Order through the completion of claim construction discovery and set a further case management conference for May 23, 2013 at 10:30 am. On February 26, 2013, CoolIT filed its amended answer to Asetek's amended complaint and amended counterclaims. CoolIT's amended counterclaims included a claim for infringement of CoolIT's U.S. Pat. No. 8,382,456, which issued on February 26, 2013. The parties are preparing to exchange the contentions required by the Patent Local Rules in connection with CoolIT's patent. The parties agree that, in view of CoolIT's new counterclaim, coordination of dates for claim construction proceedings for Asetek's patents-in-suit and CoolIT's patent-in-suit would be efficient.

Accordingly, the parties submit that good cause exists to amend the Case Management Order in view of the desirability of coordinating claim construction for all patents now involved in this case.

The parties propose the following amended schedule:

EVENT	PROPOSED SCHEDULE
Last Day for CoolIT to Serve Disclosure of Asserted Claims and Infringement Contentions (and accompanying document production)	March 19, 2013
Last Day for Asetek to Serve Preliminary Invalidity Contentions (and accompanying document production)	May 3, 2013
Last Day for Parties to Exchange List of "Proposed Terms and Claim Elements for Construction"	May 17, 2013
Case Management Conference	May 23, 2013 at 10:30 am
Meet and confer to identify 10 terms	May 24, 2013
Exchange of Preliminary Claim Constructions and Extrinsic Evidence	June 7, 2013

EVENT	PROPOSED SCHEDULE
Meet and confer re Joint Claim Construction and Prehearing Statement	June 14, 2013
Joint Claim Construction and Prehearing Statement	July 2, 2013
Complete claim construction discovery	July 16, 2013
Opening claim construction briefs	July 30, 2013
Responsive Briefs	August 13, 2013
Reply Briefs	August 20, 2013
Tutorial - Oct. 21, 2013 at 10:00 a.m. Claim Construction Hearing - Nov. 4 & 5 at 2:30 p.m.	September 3, 2013, or at the earliest next available date of the Court
Close of Fact Discovery Last Day to File Motions for Leave to Amend the Pleadings	December 17, 2013 or sixty days from issuance of the claim construction order, whichever is later
Initial Expert Reports (on issues upon which party bears burden of proof)	January 7, 2014 or 21 days after the close of fact discovery, whichever is later
Rebuttal Expert Reports	February 6, 2014 or 30 days after initial expert reports, whichever is later
Close of Expert Discovery	March 10, 2014 or 30 days after rebuttal expert reports, whichever is later
Last Day to File Dispositive Motions	March 24, 2014 or 14 days after close of expert discovery, whichever is later
Final Pretrial Conference	TBD
Trial	May 2014 (subject to the Court's availability)

1 By his signature below, counsel for Defendant attests that counsel for Plaintiffs concurs in
2 the filing of this stipulation.

3 Dated: March 8, 2013

Respectfully submitted,

4 BLANK ROME LLP

5 By: /s/Dennis P. McCooe

6 Dennis P. McCooe
7 Attorneys for Defendant
CoolIT Systems Inc.

8 Dated: March 8, 2013

Respectfully submitted,

9 FINNEGAN, HENDERSON, FARABOW,
10 GARRETT & DUNNER, LLP

11 By: /s/Robert F. McCauley

12 Robert F. McCauley
13 Attorneys for Plaintiffs
Asetek A/S and Asetek Holdings, Inc.

14 **[PROPOSED] ORDER**

15 PURSUANT TO STIPULATION, IT IS SO ORDERED.

16
17 Dated: March ¹² __, 2013

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20 **ATTESTATION PER GENERAL COUNSEL**

21 I, Daniel J. Knauss, am the ECF User whose ID and password are being used to file this
22 Stipulated Request for Order Amending Case Management Order. In compliance with General
23 Order 45, X.B., I hereby attest that the counsel listed above have concurred with this filing.
24

25 Dated: March 8, 2013

/s/ Daniel J. Knauss

26 DANIEL J. KNAUSS
27 Attorneys for Defendant
CoolIT Systems, Inc.

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